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10/15/2020

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	92067794		
Party	Defendant The Burton Corporation		
Correspondence Address	CATHLEEN E STADECKER DOWNS RACHLIN MARTIN PLLC 199 MAIN STREET PO BOX 190 BURLINGTON, VT 05402-0190 UNITED STATES Primary Email: tmip@drm.com 802-863-2375		
Submission	Other Motions/Papers		
Filer's Name	Cathleen E. Stadecker		
Filer's email	tmip@drm.com		
Signature	/cathleen e stadecker/		
Date	10/15/2020		
Attachments	Reg Notice of Election Oral Cross.pdf(5460 bytes)		

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE TRADEMARK TRIAL AND APPEAL BOARD

and Reg. No. 3,598,502 is	sued on March 31, 1	999	r 1, 1998
Joshua S. Schoonover,		:	
	Petitioner,	:	Cancellation No. 92067794 (parent)
		:	Cancellation No. 92069499
-against-		:	
		:	
The Burton Corporation		:	
		:	
	Registrant.	:	

REGISTRANT'S NOTICE OF ELECTION TO TAKE ORAL CROSS-EXAMINATION OF TOBY F. BOST

PLEASE TAKE NOTICE that pursuant to 37 C.F.R. § 2.123(c) Registrant, The Burton Corporation ("Registrant") hereby elects to take the oral cross-examination of Toby F. Bost, a retained expert witness of Petitioner Joshua S. Schoonover, 3548 Seagate Way, Suite 110, Oceanside, CA 92056. The examination will be taken before a person authorized to do so pursuant to Rule 28 of the Federal Rules of Civil Procedure. The examination will take place via remote videoconference technology on Monday, November 9, 2020 beginning at 10:00 A.M. PST / 1:00 P.M. EST.

Date: October 15, 2020

Respectfully submitted,

DOWNS RACHLIN MARTIN PLLC Attorneys for The Burton Corporation

By: __/s/ Cathleen E. Stadecker_

Cathleen E. Stadecker 199 Main Street, P.O. Box 190 Burlington, VT 05402-0190

Tel.: 802-863-2375 Fax: 802-862-7512 E-mail: tmip@drm.com

CERTIFICATE OF SERVICE

I hereby certify that on October 15, 2020, a true and correct copy of the foregoing document entitled **REGISTRANT'S NOTICE OF ELECTION TO TAKE ORAL CROSS-EXAMINATION OF TOBY F. BOST**, was served on Petitioner Joshua S. Schoonover, by emailing said copy to: lawgroup@coastalpatent.com.

/s/ Evan J. O'Brien
Evan J. O'Brien

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